

# **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

## **INITIAL STATEMENT OF REASONS**

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6  
AMEND ARTICLE 1, SECTIONS 1150-1152.8

### **EXPLOSIVE ROUTES AND STOPPING PLACES (CHP-R-02-01)**

#### **PURPOSE OF REGULATIONS AND PROPOSED AMENDMENTS**

Pursuant to Division 14 (commencing with Section 31600) of the California Vehicle Code (VC), the Department of the California Highway Patrol (CHP) establishes required inspection stops to be used by transporters of explosives. Annually, the Department's field commanders are responsible for surveying the required inspection stops to determine if changes are necessary. Proposed changes to the required inspection stops are developed in cooperation with local fire officials and forwarded to the State Fire Marshal, all licensed explosives transporters, interested party list and other interested parties.

#### **PURPOSE OF AMENDMENTS**

The proposed amendments will:

- Update designated routes Remarking of two miss-marked highways and routes. Change one highway's configuration due to road construction. Removal of two roads and one State Route due to construction and designating the newly constructed highway as an approved route. Removal of one highway to designate a safer parallel route. Removal of 1 travel restriction due to removal of safe stopping place.
- Update required inspection stops Add four required and one optional inspection stops.
- Update the list of safe stopping places by incorporating changes in 31 business names, hours, services provided and the openings and closures of new businesses.
- Update the safe parking places for explosives by deleting eight safe parking places due to their close proximity to a school or hospital, relocation or closing of business and adding 1 new safe parking space.

## **STUDIES/RELATED FACTS**

Annual route survey reports from CHP Area Offices, and reports from CHP commercial officers were used as the basis for developing these regulation amendments. Input was also received from the regulated industry regarding changes to explosive and inhalation hazard transportation regulations. These changes were evaluated by Commercial Vehicle Section (CVS) and forwarded to the applicable CHP Area office for final approval in accordance with Division 14 VC (commencing with Section 31600).

## **CONSULTATION WITH OFFICIALS**

Section 31616 VC, requires the CHP to consult with local fire departments, transportation company representatives, explosives manufacturers, and the State Fire Marshal prior to designating routes for the transportation of explosives and inhalation hazards.

## **ALTERNATIVES**

The CHP has determined that no reasonable alternative considered by the CHP or that has otherwise been identified and brought to the attention of the CHP would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

### *Alternatives Identified and Reviewed*

1. Make no changes to the existing regulations. This alternative was rejected because it fails to provide for the potential safety benefits of the new standard and may increase costs for manufacturers attempting to comply with both older and newer standards.

## **LOCAL MANDATE**

These regulations do not impose any new mandate on local agencies or school districts.

## **ECONOMIC IMPACT ON BUSINESS**

The CHP has not identified any significant adverse impact on businesses.

## **FISCAL IMPACT TO THE STATE**

The Department has determined these regulation amendments will result in:

- No significant increased costs for transporters of explosives;
- No significant compliance cost for persons or businesses directly affected;
- No discernible adverse impact on the quantity and distribution of goods and services to large and small businesses or the public;
- No impact on the level of employment in the state; and
- No impact on the competitiveness of this state to retain businesses, as state, provincial and national governments throughout North America have already adopted these requirements.